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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of )  
 )  
Reallocation of Television Channels) ET Docket No. 97-157  
60-69, the 746-806 Band )

To: The Commission

REPLY COMMENTS OF NEXTEL COMMUNICATIONS, INC.

I. INTRODUCTION

Pursuant to Section 1.415 of the Rules of the Federal Communications Commission ("Commission"), Nextel Communications, Inc. ("Nextel") respectfully submits these Reply Comments in the above-captioned proceeding.

Nextel and numerous other parties filed Comments herein on September 15, 1997 in response to the Commission's Notice of Proposed Rule Making ("NPRM") in this docket.<sup>1/</sup> Although the Commission was seeking comment on how it should reallocate the 746-806 MHz band, which currently is allocated to television broadcasters on channels 60-69, Nextel limited its comments to the need for adjacent channel protection for 806-821 MHz Specialized Mobile Radio ("SMR") operations that historically have experienced interference from Channel 69 broadcasters.

In these Reply Comments, Nextel reiterates that the interference to lower-power mobile operations in the 806-821 MHz band by the higher-power broadcasters on Channels 60-69 is a

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<sup>1/</sup> Notice Of Proposed Rule Making, ET Docket No. 97-157, FCC 97-245, released July 10, 1997.

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significant problem.<sup>2/</sup> To ensure that the services provided by SMR licensees in the lower portion of the 800 MHz SMR band are not adversely affected by broadcasting operations, Nextel proposes that (a) the Commission take those steps necessary to provide protection from adjacent channel interference by broadcasters, and (b) eliminate all future licensing of broadcasters on Channels 60-69.

## II. DISCUSSION

### A. Incumbent Broadcasters On Channels 60-69 Should Be Limited To Operations That Are Not Likely To Cause Interference To Adjacent Channel SMR Operations

Broadcasting operations on Channel 69 historically have been a source of harmful interference to SMR operations at 806-821 MHz.<sup>3/</sup> Since the reallocation of UHF channels to land mobile radio operations in the mid-1970's,<sup>4/</sup> there have been several cases of broadcasters causing harmful interference to adjacent channel land mobile operators.<sup>5/</sup> In light of this evidence of harmful interference between the two services, Nextel opposed and continues to oppose the use of Channel 69 for digital television in

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<sup>2/</sup> See also Comments of Motorola, Inc. at pp. 5-6.

<sup>3/</sup> See Comments of Nextel, filed September 15, 1997, in this docket; see also Comments of Nextel, filed November 22, 1996, in MM Docket No. 87-268 (the Advanced Television Systems proceeding).

<sup>4/</sup> First Report and Order and Second Notice of Inquiry, Docket No. 18262, 35 FR 8644 (June 4, 1970); Second Report and Order, Docket No. 18262, 46 FCC 2d 752 (1974); modified on recon., Memorandum Opinion and Order, Docket No. 18262, 51 FCC 2d 945 (1975); aff'd National Association of Regulatory Utility Commissioners v. FCC, 525 F.2d 630 (DC Cir. 1975).

<sup>5/</sup> See Comments of Land Mobile Communications Council ("LMCC") at p. 7.

any market. Moreover, Nextel supports those commenters who oppose any prospective broadcast licensing on Channels 60-69.

During the interim period when incumbent broadcast operations will continue to operate on Channel 69, Nextel requests that the Commission act expeditiously to remedy harmful interference caused to SMR systems by broadcasters. The higher-powered broadcast operations naturally overwhelm the lower-powered mobile operations in the SMR services, and thus create significant interference. During this interim period, therefore, Nextel respectfully requests that the Commission, as LMCC stated in its Comments, provide the "sharing criteria that [are] necessary to avoid interference between mobile users and approximately 100 incumbent broadcast operations [on Channels 60-69]."6/

**B. The Commission Should Not Allocate Channels 60-69 In Any Manner That Would Allow For Future Broadcasting On This Spectrum**

In reviewing the comments of other parties, Nextel fully supports those that would prohibit prospective licensing of any broadcasting operations on Channels 60-69.7/ Because broadcasters are authorized on up to five million watts, a broadcast station can "preclud[e] practical mobile use of the same and sometimes even adjacent channel spectrum for miles around a

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6/ Comments of LMCC at p. 7.

7/ See Comments of LMCC; Comments of Motorola, Inc. at p. 8; see also Comments of Cellular Telecommunications Industry Association ("CTIA"), opposing an overly flexible allocation of Channels 60-69 that would place inconsistent operations, e.g., broadcasting and SMR services, on adjacent channels.

given transmitter."8/ This significantly higher operating power creates "fundamental operational differences between broadcasters and mobile operations,"9/ which can make it impossible for the lower powered mobile users to operate effectively on nearby channels. Thus, to avoid the perpetuation of this problem, Nextel supports LMCC's proposal that the Commission authorize no future broadcasting on Channels 60-69.10/

Licensing Channels 60-69 for public safety and commercial mobile operations is consistent with the current adjacent channel allocations. Land mobile radio operators -- both private and commercial -- could potentially integrate these channels into their existing systems, enhance the services they currently provide, and make more efficient use of the spectrum. Nextel, therefore, supports the future allocation of Channels 60-69 to mobile radio services, and agrees with CTIA and the Personal Communications Industry Association ("PCIA") that a specific service allocation -- rather than a broad generic allocation -- is necessary to ensure that there is efficient use of the spectrum, no delay in the deployment of new services and no harmful adjacent or co-channel interference among incompatible technologies.11/

Nextel reiterates its proposal that the Commission prospectively license all operations on Channels 60-69 in a manner

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8/ Comments of LMCC at p. 7.

9/ *Id.*

10/ *Id.* at p. 5.

11/ Comments of CTIA; Comments of PCIA at p. 3, 4.

that provides the greatest protection against adjacent channel interference. One way in which the Commission can accomplish this is to require that prospective licensees place lower power operations on channels adjacent to 806-821 MHz systems and place their higher power operations on channels further removed from SMR operations. For example, for non-broadcast operations, the Commission could require the operation of mobiles/portables on Channel 69 and system base stations on lower Channels in the 60-69 band. This mechanism will help protect 806-821 Mhz SMR operations from interference from Channel 69 operations while imposing no unnecessary burdens on Channels 60-69 licensees.

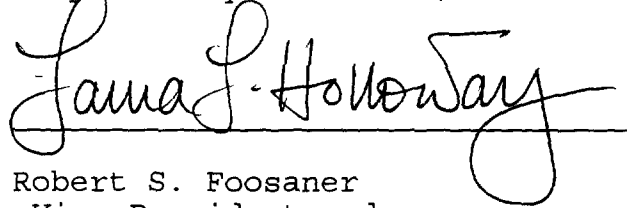
### III. CONCLUSION

Interference between Channel 69 broadcasters and 806-821 MHz SMR operations has been a problem for SMR operators for many years. During the interim period while incumbent broadcasters will continue to operate on Channels 60-69, Nextel respectfully requests that the Commission take those actions necessary to protect against this harmful interference. Prospectively, Nextel opposes the licensing of any broadcasting on those channels. Eliminating these

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high-powered sources from operating adjacent to the lower-power SMR services should avoid continued harmful interference in the future.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Robert S. Foosaner", written over a horizontal line.

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Date:       October 14, 1997

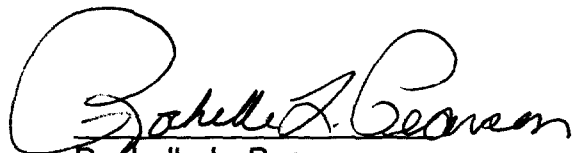
## CERTIFICATE OF SERVICE

I, Rochelle L. Pearson, hereby certify that on this 14th day of October, 1997, I caused a copy of the attached Reply Comments of Nextel Communications, Inc. to be served first-class mail, postage prepaid to the following:

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